



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

CRH:ICR/SKW/EHS  
F. #2022R00326

*271 Cadman Plaza East  
Brooklyn, New York 11201*

December 16, 2022

By Email and ECF

Mia Eisner-Grynberg, Esq.  
Amanda David, Esq.  
Federal Defenders of New York  
One Pierrepont Plaza, 16th Floor  
Brooklyn, New York 11201

Re: United States v. Frank James  
Criminal Docket No. 22-214 (WFK)

Dear Counsel:

As discussed, today, a grand jury sitting in the Eastern District of New York returned a superseding indictment in the above-captioned case. A copy of the superseding indictment is enclosed.

The superseding indictment charges the defendant with ten counts—one for each gunshot victim—of committing a terrorist attack or other violence against a mass transportation system and vehicle carrying passengers and employees, in violation of Title 18, United States Code, Sections 1992(a)(7), 1992(a)(10), 1992(b)(1), 1992(c)(1), 1992(c)(2), as well as one count of discharging a firearm during a crime of violence, in violation of Title 18, United States Code, Sections 924(c)(1)(A)(i), 924(c)(1)(A)(ii), 924(c)(1)(A)(iii).

As explained on our most recent call, the superseding indictment does not change the evidence we intend to introduce at trial, which has been produced and will be produced to the defense in discovery.

Very truly yours,

BREON PEACE  
United States Attorney

By:                     /s/                      
Ian C. Richardson  
Sara K. Winik  
Ellen H. Sise  
Assistant U.S. Attorneys  
(718) 254-7000

Enclosure

cc: Clerk of the Court (WFK) (by ECF) (without enclosure)